

HOUSE BILL 2547

By Durham

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to assaultive offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-101(b)(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(1) Assault under:

(A) Subdivision (a)(1) is a Class A misdemeanor, punishable by incarceration and a fine not to exceed five thousand dollars (\$5,000);

(B) Subdivision (a)(2) is a Class A misdemeanor; and

(C) Subdivision (a)(3) is a Class B misdemeanor.

SECTION 2. Tennessee Code Annotated, Section 39-13-101(c), is amended by deleting the subsection in its entirety.

SECTION 3. Tennessee Code Annotated, Section 39-13-102(e)(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(1) Aggravated assault under:

(A) Subdivision (a)(1)(A) or subsection (b) or (c) is a Class C felony, punishable by incarceration and a fine not to exceed fifteen thousand dollars (\$15,000); or

(B) Subdivision (a)(1)(B) is a Class D felony, punishable by incarceration and a fine not to exceed fifteen thousand dollars (\$15,000).

SECTION 4. Tennessee Code Annotated, Section 39-13-102, is further amended by deleting subsection (d) in its entirety.

SECTION 5. Tennessee Code Annotated, Section 39-13-102(e)(3), is amended by deleting the subdivision in its entirety and substituting instead the following:

(3) In addition to any other punishment authorized by this section, the court shall order a person convicted of aggravated assault to pay restitution to the victim of the offense in accordance with § 40-35-104(c)(2). Additionally, the judge shall order the warden, chief operating officer, or workhouse administrator to deduct fifty percent (50%) of the restitution ordered from the person's commissary account or any other account or fund established by or for the benefit of the person while incarcerated. The judge may authorize the deduction of up to one hundred percent (100%) of the restitution ordered.

SECTION 6. This act shall take effect July 1, 2016, the public welfare requiring it.